

REMARKS

The Abstract stands objected to under 37 CFR §1.72(b) for being longer than 150 words. A Substitute Abstract is presented herein which meets the requirements of 37 CFR §1.72(b). No new matter has been added.

Claims 1, 2 and 4-6 stand rejected under 35 USC §112, second paragraph. In this regard, claim 1 stands rejected for the use of the term "substantially", two occurrences. This rejection has been overcome by deleting both occurrences of the term.

Claim 5 stands rejected under 35 USC §112, second paragraph, for the terminology "on the axis thereof". This rejection has been overcome by amending this terminology to recite "on the axis of said drive".

Claims 1, 2 and 4-6 stand rejected under 35 USC §102(b) as anticipated by Dischler (US 5,720,199). Claims 1-2 also stand rejected under 35 USC §102(b) as anticipated by Uehara et al. (US 5,253,572).

Claims 1-2 and 4-6 have been amended herein to add and or amend the recited limitations. The amended claims 1-2 and 4-6 presented herein above distinguish applicants' invention over the cited art.

In Dischler (US 5,720,199), the tool 45 is initially rapidly moved by the spindle 49 until the tool abuts the work piece 46. Then, a pressing operation on the work piece is carried out by means of the piston rod 58, the lever 56 and the rod 52. This pressing operation is continued until the rod 52 is vertical.

After this operation, the return of the tool 45 is carried out by the spindle 49.

Amended claim 1 states that the drive 4,5 is arranged to move the tool punch away from the support 26. Dischler, to the contrary has a drive 58 which cannot move the Dischler tool 45 away from the work piece. Dischler uses his spindle 49 to move his tool.

Claim 1 as now amended explicitly recites the operational movement towards the support 26 and into working station (II) and away 26 in that coupled between the drive and the base are transmission means having (at least one) long rotary lever 9 pivotable on stationary pivot point 11, 45 fixed to the base body for moving the base plate.

In Dischler, the pivot point is not stationary as it is connected to the spindle 49.

Amended claim 1 now states that the drive means 4, 5 is disposed axially outside from the pivot point 11. Amended claim 1 also now recites the interconnection of the lever 9 to the elbow lever joint 13 which in turn is coupled to the short pivotal lever 7 whose other end is coupled to the base plate 17 with the bearing 15. Further, amended claim 1 also recites that lever 9 is longer than lever 14. Amended claim 4 now recites an operational two-way connection between drive means 4, 5 and the other end of said lever 9.

The amended claims 1-2 and 4-6 also likewise distinguish over Uehara et al. (US 5,253,572).

It is urged that the application is now in condition for allowance as to the Abstract and amended claims 1-2 and 4-6 presented herein above.

Applicants continue to reserve their rights to re-introduce the withdrawn dependent claims 3, 7-12 once a generic independent claim has been allowed.

No additional fees are believed to be required. In the event that an additional fee is required with respect to this communication, the Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Paul & Paul Deposit Account No. 16-0750. (order no. 5238)

Respectfully submitted,
Paul & Paul

/John J. Simkanich, regis. no. 26036/
by: John J. Simkanich

Date: August 29, 2007

Regis. No. 26,036
2000 Market Street, Suit 2900
Philadelphia, PA 19103
(215) 568-4900
FAX 215-567-5057

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on August 29, 2007
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PAUL & PAUL
by: John J. Simkanich

/john j. simkanich, regis. no. 26036/
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